



Docket No. END0736US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey D. Messerly
Serial No. : 09/826,070 Art Unit: 3731
Filed : April 4, 2001 Examiner: Bui, Vy Q.
For : BLADES WITH FUNCTIONAL BALANCE ASYMMETRIES FOR USE WITH
ULTRASONIC SURGICAL INSTRUMENTS

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Mail Stop Petition, Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

August 18, 2005
(Date of Deposit)

Verne E. Kreger, Jr.
(Name of applicant, assignee, or Registered Representative)


(Signature)

August 18, 2005
(Date of Signature)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of
\$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of
\$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of references listed on the attached Form PTO-1449 are enclosed.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

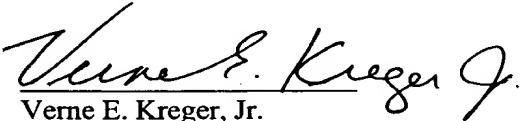
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

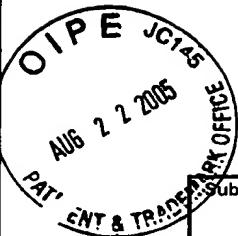
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-0736/VEK.

Respectfully submitted,



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Attorney for Applicants

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DATED: August 18, 2005



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Application Number	09/826,070
Filing Date	April 4, 2001
First Named Inventor	Jeffrey D. Messerly
Group Art Unit	3731
Examiner Name	Bui, Vy Q
Attorney Docket Number	END-736

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		2,990,616		Balamuth et al.	7/4/1961	ALL
		3,053,124		Balamuth et al.	09/11/1962	ALL
		3,404,677		Springer	10/08/1968	ALL
		3,830,240		Anteonevich et al.	8/20/1974	ALL
		3,861,391		Anteonevich et al	1/21/1975	ALL
		3,862,630		Balamuth	01/28/1975	ALL
		3,990,452		Murry et akl.	11/9/1976	ALL
		4,136,700		Broadwin et al.	1/30/1979	ALL
		4,169,984		Parisi	10/2/1979	ALL
		4,526,571		Wukchinich	7/2/1985	ALL
		4,634,419		Kriezman et al.	1/6/1987	ALL
		4,911,161		Schnecter	3/27/1990	ALL
		4,920,954		Alliger et al.	5/1/1990	ALL
		4,974,581		Wiksell	12/4/1990	ALL
		4,992,048		Goof	2/12/1991	ALL
		5,019,083		Klapper e al.	5/28/1991	ALL
		5,047,008		De Juan, Jr. et al.	9/10/1991	ALL
		5,180,363		Idemoto et al.	1/19/1993	ALL
		5,205,817		Idemoto et al.	4/27/1993	ALL
		5,221,282		Wuchchinich	6/22/1993	ALL
		5,222,937		Kagawa	6/29/1993	ALL
						ALL

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 4

Application Number 09/826,070

Filing Date April 4, 2001

First Named Inventor Jeffrey D. Messerly

Group Art Unit 3731

Examiner Name Bui, Vy Q

Attorney Docket Number END-736

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		Number	Kind Code ² (if known)			
		D 339,419		Hood et al.	9/14/1993	ALL
		5,248,296		Alliger	9/28/1993	ALL
		5,263,957		Davison	11/23/1993	ALL
		D 344,799		Hood et al.	3/1/1994	ALL
		D 345,794		Hood et al.	4/5/1994	ALL
		5,312,329		Beaty et al.	5/17/1994	ALL
		5,318,570		Hood et al.	6/7/1994	ALL
		5,322,055		Davison et al.	6/21/1994	ALL
		5,324,297		Hood et al.	6/28/1994	ALL
		5,324,299		Davison et al.	6/28/1994	ALL
		5,346,502		Estabrook	09/13/1994	ALL
		5,397,293		Alliger et al.	3/14/1995	ALL
		5,413,578		Zahedi	5/9/1995	ALL
		5,417,654		Kelman	5/23/1995	ALL
		5,480,379		LaRosa	1/2/1996	ALL
		5,489,292		Tovey	02/06/1996	ALL
		5,509,922		Aranyi	04/23/1996	ALL

Examiner Signature	Date Considered
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Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Sheet 3 of 4

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Group Art Unit	3731
Examiner Name	Bui, Vy Q
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 4

<u>Application Number</u>	09/826,070
<u>Filing Date</u>	April 4, 2001
<u>First Named Inventor</u>	Jeffrey D. Messerly
<u>Group Art Unit</u>	3731
<u>Examiner Name</u>	Bui, Vy Q
<u>Attorney Docket Number</u>	END-736

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FOREIGN PATENT DOCUMENTS

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